

UNITED STATES DISTRICT COURT

DISTRICT OF SOUTH DAKOTA

SOUTHERN DIVISION

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KEVIN CHRISTOPHER MICHEAL  
TRIPP,

Plaintiff,

vs.

ARTHUR ALLCOCK, Associate Warden,  
South Dakota State Penitentiary;  
JENNIFER DRESKE, Deputy Warden,  
South Dakota State Penitentiary;  
EUGENE REGIER, Doctor, South  
Dakota State Penitentiary;  
ROBERT VESTLIE, Senior Correctional  
Officer, South Dakota State  
Penitentiary; and  
TAMMY TOP, Certified Nurse  
Practitioner, South Dakota State  
Penitentiary;

Defendants.

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4:17-CV-04076-KES

ORDER ADOPTING REPORT AND  
RECOMMENDATION

Plaintiff, Kevin Christopher Michael Tripp, filed this lawsuit under 42 U.S.C. § 1983. The case was referred to Magistrate Judge Veronica Duffy under this court's January 19, 2018 order (Docket 34) and 28 U.S.C. § 636(b)(1)(A) and (B).

On May 1, 2018, Magistrate Judge Duffy submitted her report and recommended that defendants' motion for summary judgment be granted and Tripp's complaint be dismissed with prejudice. Docket 35. Tripp was notified in

the report and recommendation that he had 14 days to file objections to the report. Even though no objections were filed that would require de novo review under *Thompson v. Nix*, 897 F.2d 356 (8th Cir. 1990), the court reviewed the matter de novo and adopts the report and recommendation in full.

Thus, it is ORDERED

1. Magistrate Judge Duffy's report and recommendation (Docket 35) is adopted in full.
2. Defendants' motion for summary judgment (Docket 26) is granted.
3. Tripp's amended complaint (Docket 13) is dismissed with prejudice.

DATED May 23, 2018.

BY THE COURT:

/s/ Karen E. Schreier

KAREN E. SCHREIER  
UNITED STATES DISTRICT JUDGE